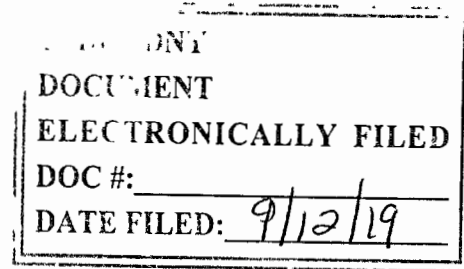


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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

BENEDICT CAIOLA,

Plaintiff,

v.

LOCKEY MAISONNEUVE, MELISA
TROPEANO, and THE MTL
COMMUNICATIONS GROUP LLC,

Defendants.

Civil Action No. 1:18-cv-11646-NRB

**STIPULATION
AND ORDER**

LOCKEY MAISONNEUVE,

Plaintiff,

v.

BENEDICT CAIOLA,

Defendant.

Civil Action No. 1:19-cv-02567-NRB

WHEREAS, on December 13, 2018, Benedict Caiola filed a Verified Complaint that is docketed as *Caiola v. Maisonneuve, et al.*, No. 1:18-cv-11646 (“Caiola’s Action”); and

WHEREAS, on January 14, 2019, the Court stayed Caiola’s Action pending the outcome of a related proceeding then pending in the U.S. District Court for the District of New Jersey; and

WHEREAS, on March 15, 2019, the Honorable John Michael Vazquez, U.S.D.J., entered an order transferring the related proceeding in the District of New Jersey to this Court where it has been docketed as *Maisonneuve v. Caiola*, No. 1:19-cv-2567 (“Maisonneuve’s Action”); and

WHEREAS, the parties to both actions have been attempting to negotiate a compromise of their respective claims but have not yet been successful; and

WHEREAS, the parties desire to litigate their disputes while they continue to negotiate; and

WHEREAS, the parties have conferred and mutually agree to order the Caiola Action and the Maisonneuve Action as set forth herein to efficiently and expeditiously present the issues to the Court;

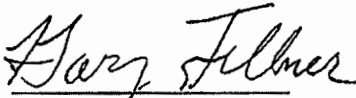
IT IS HEREBY STIPULATED AND AGREED by and between the parties, by their respective counsel as follows:

1. the stay of the Caiola Action will be lifted and the parties will proceed with the case as set forth herein and as further scheduled by the Court;
2. the pending Maisonneuve Action should be stayed pending further order of the Court, and all defenses that defendant Benedict Caiola could have raised in the Maisonneuve Action in response to Lockey Maisonneuve's complaint, by motion or otherwise, are preserved and not waived for all purposes, regardless whether they are later asserted by Benedict Caiola in the Caiola Action or in the Maisonneuve Action;
3. Caiola shall file an amended complaint in the Caiola Action on or before September 16, 2019;
4. defendants in the Caiola Action shall answer, move or otherwise respond to Caiola’s amended complaint on or before October 15, 2019; and

5. in the event a motion is filed pursuant to paragraph 4, Caiola shall file any opposition to the motion on or before November 14, 2019, and defendants shall file any reply on or before December 5, 2019.


Dated: September 12 2019

Counsel for Benedict Caiola



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SO ORDERED.

Dated: New York, New York
September 12 2019



NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE